

PART 5. LICENSING, REPORTING, AND TRACKING

****** Draft - New ******

Rule 28.14501 Definitions.

Rule 501. As used in this part:

(a) “Employment transaction” means any hire or separation from fully empowered employment of a law enforcement officer.

(b) “Separation from law enforcement authority” means a discontinuation in employment as a licensed law enforcement officer, including any change in fully sworn status, or removal of full empowerment, when the separation may exceed the time frames specified in the act, being MCL 28.609(2). A separation from law enforcement authority has occurred if the person is not at work and is unavailable to report for a regular duty shift as a law enforcement officer for a period of time that may exceed the time frames referenced in this rule.

Rule 28.14502 Employment history record; maintenance.

Rule 502. (1) A recognized law enforcement agency shall maintain an employment history record for each law enforcement officer employed, subject to inspection by the commission. The employment history record shall include the following documentation:

- (a) Proof of paid employment.
 - (b) Standards compliance documentation, as specified in R 28.14504, if applicable.
 - (c) The officer’s license issued by the commission for that agency.
 - (d) Proof of conferral of law enforcement authority.
 - (e) Proof of separation from law enforcement authority, if applicable.
 - (f) Proof of reinstatement of law enforcement authority, if applicable.
 - (g) Proof of separation from employment, if applicable.
- (2) The documents in the employment history record shall be maintained for one of the following, whichever is longer:
- (a) 30 years from the date of creation of the document, even if the officer separates from employment with the agency or becomes deceased.
 - (b) As long as the officer is employed plus 5 years.

Rule 28.14503 Maintenance of employment record in the MCOLES information and tracking network.

Rule 503. A recognized law enforcement agency shall report an employment history record for each fully empowered law enforcement officer employed by the agency using the MCOLES information and tracking network.

(1) The agency shall verify or submit the following information:

- (a) Successful completion of basic law enforcement officer training.
- (b) Screening for compliance with the employment standards set forth in R 28.14202, R 28.14203, R 28.14205 and R 28.14206. Exceptions and comments made by the person(s) conducting the screening shall be entered into the MCOLES information and tracking network record.
- (c) Initial law enforcement officer license activation.
- (d) Agency employment transactions.
- (e) Commission mandated law enforcement in-service training.

- (2) The agency shall verify or submit the following, if applicable:
 - (a) Recognition of prior law enforcement officer basic training.
 - (b) Reactivation of the Michigan law enforcement officer license.
 - (c) Separations from law enforcement authority.
 - (d) A violation of MCL 28.609b.
- (3) The agency may submit the following, if applicable:
 - (a) Specialties and endorsements recognized by the commission that may be appended to a law enforcement officer's license.
 - (b) Non-mandated law enforcement in-service training.
 - (c) Out-of-state law enforcement in-service licenses and/or certifications.
- (4) The agency shall annually verify its roster of commission licensed law enforcement officers consistent with the provisions of R 28.14509.

Rule 28.14504 Standards compliance documentation; maintenance.

Rule 504. An agency employing and activating an individual, for initial licensing or licensing pursuant to R 28.14401, et seq., shall maintain the following documentation:

- (a) A copy of the position description for the position into which the officer was hired and sworn.
- (b) Proof of conferral of authority, e.g., the oath of office, showing the name of the officer and the date on which the individual became a fully empowered law enforcement officer.
- (c) The commission application for licensing completed by the agency to document that the applicant met the selection and employment standards in R 28.14203.
- (d) A copy of the required state and federal fingerprint search results.
- (e) A copy of the required background investigation, which shall be maintained for not less than 5 years.
- (f) A copy of the required drug screen report.
- (g) Proof of compliance with the education requirements.
- (h) Proof of United States citizenship.
- (i) A copy of the officer's valid operator's or chauffeur's license.

Rule 28.14505 Employment; applicant whose Michigan license has not lapsed.

Rule 505. When employing an individual previously licensed as a law enforcement officer in Michigan, who is within the time frames set forth in the act, being MCL 28.609(2), an agency shall do all of the following, in the order listed.

- (a) Verify the applicant's eligibility for licensing through the MCOLES information and tracking network.
- (b) Administer the oath of office conferring full law enforcement authority on the applicant.
- (c) Place the proof of the conferral of law enforcement authority in the officer's employment history record at the agency.
- (d) Report the employment transaction to the commission using the MCOLES information and tracking network within 3 business days.

Rule 28.14506 Employment; applicant eligible for licensing.

Rule 506. When employing an applicant eligible for activation as a licensed law enforcement officer, an agency shall do all of the following concerning that individual, in the order listed.

- (a) Verify eligibility for licensing using the MCOLES information and tracking network.
- (b) Activate as a licensed law enforcement officer.
- (c) Place the proof of the conferral of law enforcement authority in the officer's employment history tracking record at the agency.

Rule 28.14507 Notice of separation from employment; return of license.

Rule 507. (1) An agency shall report to the commission the separation from employment of a licensed law enforcement officer within 3 business days of separation using the MCOLES information and tracking network.

- (2) The report of separation shall include the following:
 - (a) The reason for the separation.
 - (b) The total hours worked by that officer during the calendar year of the separation.
- (3) The agency shall return to the commission the officer's original license that verified employment and licensing with the agency. The agency shall collect and forward to the commission the identification card that may have been issued to the officer by the commission.

Rule 28.14508 Notice of separation from law enforcement authority.

Rule 508. An agency shall report to the commission the separation from law enforcement authority of a licensed law enforcement officer within 3 business days of knowledge of the separation using the MCOLES information and tracking network. The report shall be made when the separation is of an undetermined length or may exceed the time frames specified in the act, being MCL 28.609.

Rule 28.14509 Employment roster; annual verification.

Rule 509. Each agency shall annually confirm its roster of commission licensed law enforcement officers, by doing the following:

- (a) Verify that all licensed law enforcement officers employed by the agency are listed on the agency roster in the MCOLES information and tracking network.
- (b) Verify that the current status of each officer is accurate.
- (c) Submit changes or corrections to the commission using the MCOLES information and tracking network.
- (d) Submit the roster during the annual registration window specified by the commission.

Rule 28.14510 In-service training; providers; requirement to register.

Rule 510. (1) An in-service training provider shall do all of the following through the MCOLES information and tracking network:

- (a) Register course offerings with the commission.
- (b) Submit a roster of all Michigan licensed law enforcement officers attending a course.
- (2) Failure to submit an attendance roster may cause the revocation of the training provider's training course registrations.

Rule 28.14511 Misuse of the MCOLES information and tracking network; sanctions.

Rule 511. (1) Any misuse of or access by an unauthorized user of the MCOLES information and tracking network may result in sanctions for both the individual and the agency.

(2) Any person determined to have violated the MCOLES information and tracking network security policy may be subject to criminal prosecution.

Rule 28.14512 MCOLES information and tracking network reporting requirement.

Rule 512. Agencies that are not equipped to report using the MCOLES information and tracking network may report, in the manner and on the form(s) prescribed by the commission, until 1 year following the date of filing of these rules with the secretary of state, at which time the use of the MCOLES information and tracking network shall become mandatory.

Rule 28.14513 Transfer of employment history record.

Rule 513. In the event that a recognized law enforcement agency is disbanded, the employment history record described in R 28.14502 may be transferred at the discretion of the commission to another recognized law enforcement agency or to the commission.

Rule 28.14514 Standards for maintenance of license.

Rule 514. The commission may establish requirements for maintaining the validity of the commission issued license.